

### **REMARKS**

This paper responds to the Office Action dated June 26, 2008. Claims 74 and 84 are amended and claims 89-92 are added such that claims 74-92 are now pending in this application.

#### **Claim Objections**

Claim 84 was objected to as being informal. Applicant has amended claim 84 in order to address the Examiner's objection.

#### **Interview Summary**

Applicant thanks Examiner Menon for the courtesy of telephone interview conducted on August 20, 2008 with Applicant's representative Andrew R. Peret. Applicant's attorney and Examiner Dinh agreed that the cited references do not describe a feed carrier that is used as a permeate carrier in a membrane element.

#### **§112 Rejection of the Claims**

Claims 74-88 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claim 74 to define a feed carrier that is used as a permeate carrier.

#### **§103 Rejection of the Claims**

Claims 74-88 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Uhlinger (U.S. Patent No. 6,190,556) and Lien (U.S. Patent No. 4,802,982).

Applicant initially notes that neither of the cited references includes any description relation to using a feed carrier as a permeate carrier as recited in the claims. As discussed during the interview, the Examiner indicated that he would do further searching to provide some objective evidence as to using a feed carrier as a permeate carrier.

As part of making the rejection the Examiner states at page 6 of the Office Action that "Arguments of long felt need and unexpected results have no supporting evidence in the cited

paragraphs of the specification.” Applicant respectfully traverses these assertions because Applicant’s specification documents the long felt need which existed and the unexpected results that occurred as a result of Applicant’s invention.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (262) 646-7009 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date Nov. 26, 2008

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 26 day of November, 2008.

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